STATE OF MARYLAND
DEPARTMENT OF AGRICULTURE
BEFORE THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS

IN THE MATTER OF THE COMPLAINT OF	*	
THE STATE BOARD OF VETERINARY MEDICAL	*	
EXAMINERS AGAINST	*	
LEMUEL HALTERMAN, D.V.M.	*	DOCKET NO.: 00-001
LICENSE NO. 1176	*	

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CONSENT AGREEMENT

This Agreement, dated this 23rd of May, 2000, is between the State Board of Veterinary Medical Examiners ("Board") and Lemuel Halterman, D.V.M., License No. 1176. The Agreement concerns the complaint that Mr. and Mrs. William H. Plummer filed against Dr. Halterman and other licensed professionals at his hospital, alleging violations of the Veterinary Practice Act (Md. Code Ann., Agric Art §§2-301 *et seq.*). Under the Veterinary Practice Act, the Board "may refuse, suspend, or revoke any application or license, and censure or place on probation any licensee ... if the veterinarian ... [f]ails to comply with Board ... regulations after receiving a license" (Md. Code Ann., Agric. Art. §2-310 (8)); and in lieu of, or in addition to, suspending a veterinarian's license, the Board may impose a civil penalty of not more than $5000 (Md. Code Ann., Agric. Art., §2-310.1). In lieu of taking formal disciplinary action against the veterinarian, the Board may enter into a Consent Agreement with the veterinarian to resolve the matter.

In their complaint, the Plummers charge that Dr. Halterman or other licensed professionals at his hospital exceeded the consent they had granted in treating their Yorkshire Terrier, Chloe. More specifically, the Plummers allege that when they made an appointment to have Chloe's teeth cleaned, they believed the dog's dental health to be good; that in consenting to having Chloe's teeth cleaned, they had not authorized anyone at the hospital to extract multiple teeth from Chloe's mouth. Finally, the Plummers allege that Chloe suffered injury from this unauthorized procedure, requiring subsequent veterinary care.

To resolve the Plummers' complaint against Dr. Halterman and, in lieu of taking formal disciplinary action against him, or perhaps other licensed professionals at his hospital, the Board and Dr. Halterman enter into this Consent Agreement. The Board shall dismiss the Plummers' complaint against Dr. Halterman provided, however, that Dr. Halterman, within 30 days from the

date of this Agreement, reimburse them for two thousand four hundred forty-one dollars and fifty-nine cents ($2,441.59); this figure being the sum payment that the Plummers paid to Dr. Halterman's hospital and to VCA Referral Associates, Inc., the hospital that provided Chloe's subsequent veterinary care.

As consideration for this payment, the Plummers have agreed to sign a separate agreement releasing Dr. Halterman, Park Circle Animal Hospital, and other principals and employees of this hospital from any and all further claims that may be made for damages claimed to have arisen from the care or treatment provided Chloe in this matter.

Donald M. Carman, D.V.M.

Donald M. Carman, D.V.M

7/12/2000

Date

Lemuel Halterman, D.V.M.

5/23/00

Date

CONSENT

I, Lemuel Halterman, D.V.M., acknowledge that I have had an opportunity to consult with legal counsel before entering into and signing this document. By this Consent, I hereby acknowledge the legal authority and the jurisdiction of the Board over this matter and to issue and enforce this Consent Agreement. In order to resolve this matter, I agree to accept and submit to the foregoing Consent Agreement, consisting of 3 pages.

I sign this Consent Agreement without reservation as my voluntary act and deed after an opportunity to consult with counsel, and I acknowledge that I fully understand and comprehend the language, meaning, and terms of this Consent Agreement.

5/23/00

Date

Lemuel Halterman, D.V.M.

NOTARY

STATE OF MARYLAND

CITY/COUNTY OF HAGERSTOWN/WASHINGTON

I HEREBY CERTIFY that on this 23rd day of MAY, 2000, before me, a Notary Public of the State and City/County aforesaid, personally appeared Lemuel Halterman, D.V.M., and made oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

Notary Public
CHERYL A CUNNINGHAM

My Commission expires: 02-18-02

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ORDER

Having determined that Lemuel Halterman has complied with the terms of the Consent Agreement entered into in this matter, it is this 12 of July, 2000, by the State Board of Veterinary Medical Examiners. **ORDERED:**

That the complaint filed against him in this matter is dismissed.

Donald M. Carman, D.V.M.
Donald M. Carman, D.V.M.
President
State Board of Veterinary
Medical Examiners